

02-12-01

A

OFGS File: P/546-239 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nozer M. MEHTA et al.

Date: February 9, 2001

Serial No.: Not Yet Known

Filed: Herewith

For: DIRECT EXPRESSION OF PEPTIDES INTO CULTURE MEDIA

Assistant Commissioner for Patents
Washington, DC 20231

REQUEST FOR CONTINUING APPLICATION UNDER 37 C.F.R. 1.53(b)

Sir:

This is a request for the filing of a Division application under the provisions of 37 C.F.R. 1.53(b) of pending application Serial No. 09/500,009, filed February 8, 2000, by Nozer M MEHTA, Angelo P. CONSALVO, Martha V.L. RAY and Christopher P. MEENAN entitled "DIRECT EXPRESSION OF PEPTIDES INTO CULTURE MEDIA," which is a division of application Serial No. 09/060,765, filed April 15, 1998, now U.S. Patent No. 6,103,495, which claims priority of U.S. Provisional Application No. 60/043,700, filed April 16, 1997. The prior applications are hereby incorporated by reference.

Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

I hereby state that the attached papers are a copy of prior application Serial No. 09/500,009, filed February 8, 2000, without any new matter therein.

Cancel in this application original claims 1-85, 88-90, 95 and 98-101 of the prior application before calculating the filing fee.

The filing fee is calculated as follows:

BASIC Filing Fee: \$ 710.00
Number of Claims in Excess of 20: ___ x \$18. 0.00
Number of Independent Claims over 3: ___ x \$80. 0.00
One or more multiple dependent claims: \$270 \$ 0.00
TOTAL FILING FEE: \$ _____

OR:

TOTAL FILING FEE REDUCED 50% FOR SMALL ENTITY \$ 355.00

☒ If checked, Small Entity status is claimed.

Check No. 3308 which includes the amount of \$355.00 in payment of the filing fee is enclosed herewith.

The Patent and Trademark Office is hereby authorized to charge any additional fees or credit any refund, at any time during the prosecution of this application, to Deposit Account No. 15-0700.

Amend the specification at page 1 by deleting lines 3-5 and inserting the following instead:

U.S. Patent No. 6,210,925
now allowed
--This is a division of application Serial No. 09/500,009, filed February 8, 2000, which is a division of application Serial No. 09/060,765, filed April 15, 1998, now U.S. Patent No. 6,103,495, which claims priority of U.S. Provisional Application No. 60/043,700, filed April 16, 1997.--

This application includes seventeen (17) sheets of drawings containing figures 1 through 17.

Priority under 35 U.S.C. §119 based on U.S. Provisional Application No. 60/043.700, filed April 16, 1997, is claimed.

The prior application was assigned to Unigene Laboratories, Inc. and is recorded at Reel 9281, Frame 0192.

The power of attorney in the prior application, as originally filed, is to customer no. 2352, OSTROLENK, FABER, GERB & SOFFEN, LLP, 1180 Avenue of the Americas, New York, New York 10036-8403, and the members of the firm: Samuel H. Weiner, Reg. No. 18,510; Jerome M. Berliner, Reg. No. 18,653; Robert C. Faber, Reg. No. 24,322; Edward A. Meilman, Reg. No. 24,735; Stanley H. Lieberstein, Reg. No. 22,400; Steven I. Weisburd, Reg. No. 27,409; Max Moskowitz, Reg. No. 30,576; Stephen A. Soffen, Reg. No. 31,063; James A. Finder, Reg. No. 30,173; William O. Gray, III, Reg. No. 30,944; Louis C. Dujmich, Reg. No. 30,625, and Douglas A. Miro, Reg. No. 31,643, as attorneys with full power of substitution and revocation to prosecute this application, to transact all business in the Patent and Trademark Office in connection therewith and to receive all correspondence. The Power appears in the original papers in the prior application.

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Customer No. 2352

(212) 382-0700

EXPRESS MAIL CERTIFICATE

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EL583735482US) in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 9, 2001:

Dorothy Jenkins

Name of Person Mailing Correspondence

Dorothy Jenkins

Signature

February 9, 2001

Date of Signature

WOG/CCA:lac

Charles C. Achkar

Charles C. Achkar

Registration No.: 43,311

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700